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LUIS CALDERON

UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA, SOUTHERN DIVISION

LUIS CALDERON, an individual

Plaintiff,

vs.

USAA CASUALTY INSURANCE
COMPANY, a Foreign Corporation; DOES 1-
10 AND ROE ENTITIES 11-20,
INCLUSIVE,

Defendants.

Case No.: 2:20-cv-1049-JCM-BNW

**STIPULATION AND ORDER TO
EXTEND THE CLOSE OF DISCOVERY
AND REQUEST FOR SETTLEMENT
CONFERENCE**

SECOND REQUEST

Pursuant to LR 6-1 and LR 26-3, the parties, by and through their respective counsel of record, hereby stipulate and request that this Court extend the Close of Discovery in the above-captioned case ninety (90) days, up to and including Thursday, June 2, 2022.

This Request for an extension of time is not sought for any improper purpose or other purpose of delay. This request for extension is based upon the following: Counsel for Defendant is currently preparing for trial in *Choi, Crystal v. State Farm Mutual Automobile Insurance Company*, Eighth Judicial District Court Case No. A-20-819428-C and also in *Jackson v. United Services Automobile Association*, Eighth Judicial District Court Case No. A-19-800593-C.

Counsel for Plaintiff is currently preparing for trial in *Kayla R. Haun vs. Osama Barakat et al.*, Eighth Judicial District Court Case No. A-18-783305-C and also in *Oswald vs. Landmark Builders, Inc.*, Superior Court of The State of California, County of Sonoma Case No. SCV-259044.

Furthermore, the parties have made progress toward settlement in this matter and have tentatively agreed to participate in a settlement conference in this matter at the earliest possible date. The parties wish to postpone expert depositions until a Settlement Conference can be held. Once finally approved, the parties will request this Court order a Settlement Conference.

WHEREFORE, the parties respectfully request that this Court extend the time for the parties to conclude discovery for ninety (90) days from the current deadline of February 28, 2022, up to and including May 29, 2022.

Dated this March 1, 2022

Dated this March 1, 2022/

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/s/: Jonathon R. Patterson

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LUIS CALDERON

ORDER

ECF No. 29 was filed as a proposed order but appears to be a stipulation to extend discovery deadlines. ECF No. 29 also seeks to have discovery close on two different dates (June 2, 2022 and May 29, 2022). Further, the parties represent that discovery closed on February 28, 2022 (before they filed this stipulation), but they do not discuss what excusable neglect exists for filing this stipulation after the deadline for discovery. See LR IA 6-1(a). If the parties seek to extend the discovery deadline, they must address these issues in a newly filed stipulation. IT IS ORDERED that ECF No. 29 is DENIED without prejudice.

IT IS SO ORDERED

DATED: 9:36 am, March 02, 2022



BRENDA WEKSLER
UNITED STATES MAGISTRATE JUDGE

PROOF OF SERVICE

I am employed in the County of Clark, State of Nevada. I am over the age of 18 and not a party to the within action. My business address is 6767 West Tropicana Ave., Suite #200, Las Vegas, Nevada 89103. My business e-mail is jpatterson@hurtiklaw.com.

On I served the within document(s) described as:

on the interested parties in this action as stated on the attached mailing list.

X (BY MAIL) By placing a true copy thereof enclosed in a sealed envelope with postage thereon fully prepaid, in the ordinary course of business for collection and mailing that same day at Hurtik Law & Associates, 6767 West Tropicana Ave., Suite #200, Las Vegas, Nevada 89103. I declare that I am readily familiar with the business practice of Hurtik Law & Associates for collection and processing of correspondence for mailing with the U.S. Postal Service and that the correspondence would be deposited within the U.S. Postal Service that same day in the ordinary course of business.

X (BY ELECTRONIC MAIL SERVICE) Based upon CRC Rule 2.251 or an agreement of the parties to accept electronic service I caused such document(s) to be Electronically Mailed through Hurtik Law & Associates electronic mail system for the above-entitled case. Should your office require a hard copy of said document, please contact our office.

Executed on March 1, 2022 at Las Vegas, Nevada.

I declare under the penalty of perjury under the laws of the State of Nevada that the foregoing is true and correct.

/s/: Jonathon R. Patterson

Jonathon Patterson, an employee at
HURTIK LAW & ASSOCIATES